

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

July 21, 2008

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Morrison, Associate Justice; Hull, Associate Justice; and Harper, bailiff.

C056772 In re MATTHEW D.; THE PEOPLE v. MATTHEW D.

Cause called. Kyle Graham, Deputy District Attorney, argued for appellant. Gerald F. Mohun, Jr. argued for respondent. Cause submitted.

At 10:08 a.m., the court recessed. At 1:59 p.m., the court reconvened with Scotland, Presiding Justice; Blease, Associate Justice; and Davis, Associate Justice.

C055284 THE PEOPLE v. SCOTT

Cause called. Gene D. Vorobyov, court appointed counsel, argued for appellant. Heather Gimle, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:26 p.m., the court recessed. At 2:31 p.m., the court reconvened with Scotland, Presiding Justice; Davis, Associate Justice; and Robie, Associate Justice.

C055122 WOOD et al. v. HOCK et al.

Cause called. Edward Freidberg argued for appellants. Carlos J. Calnero argued and Jennifer Duggan appeared only for respondents. Cause submitted.

At 3:04 p.m., the court recessed. At 3:08 p.m., the court reconvened with Scotland, Presiding Justice; Sims, Associate Justice; and Hull, Associate Justice.

C055113 LOCKRIDGE v. SAN JUAN UNIFIED SCHOOL DISTRICT

Cause called. Gregory Lockridge argued for appellant in pro per. Lynn A. Garcia argued for respondent. Cause submitted.

At 3:33 p.m., the court recessed. At 3:35 p.m., the court reconvened with Sims, Associate Justice; Davis, Associate Justice; and Hull, Associate Justice.

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Court Minutes

July 21, 2008 continued

**C054060 COUNTY OF SACRAMENTO v. AFSCME LOCAL 146 et al.; PUBLIC
EMPLOYMENT RELATIONS BOARD**

Cause called. Arthur A. Krantz argued for appellant. Harry J. Gibbons argued for intervener appellant. Krista C. Whitman, Deputy County Counsel, argued for respondent. Cause submitted.

CONSOLIDATED WITH:

**C054233 COUNTY OF SACRAMENTO v. AFSCME LOCAL 146; PUBLIC
EMPLOYMENT RELATIONS BOARD**

Cause called. Harry J. Gibbons argued for appellant. Krista C. Whitman, Deputy County Counsel, argued for respondent. Cause submitted.

At 4:24 p.m., the court recessed until 9:30 a.m., Tuesday, July 22, 2008.

C051378 THE PEOPLE v. MARBLE (Not For Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

C055007 THE PEOPLE v. HAMMOND (Not For Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Nicholson, J.

C055746 THE PEOPLE v. MONJARAS (Certified For Partial Publication)

The judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect that the trial court imposed and stayed a restitution fine of \$200, not \$420 ... and to send a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.

SCOTLAND, PJ.

We Concur: Nicholson, J.

Cantil-Sakauye, J.

C056568 THE PEOPLE v. WILSON (Not For Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Sims, Acting P.J.

Nicholson, J.

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Court Minutes

July 21, 2008 continued

C056801 THE PEOPLE v. LAW (Not For Publication)

The trial court is directed to amend the abstract of judgment to specify that the \$200 restitution fine ... was imposed on September 13, 2006. The trial court is further directed to send a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

RAYE, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

**C057777 In re M.N.; SAN JOAQUIN COUNTY (Not For Publication)
HUMAN SERVICES AGENCY v.
M.H.**

The judgment (October 29, 2007 order denying appellant reunification services) is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Raye, J.

**C053821 THE PEOPLE v. HODGES
BY THE COURT:**

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.

July 22, 2008

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Davis, Associate Justice; Hull, Associate Justice; Cantil-Sakauye, Associate Justice; and Horner, bailiff.

C052987 THE PEOPLE v. CRISLER

Cause called. Mark Greenberg, court appointed counsel, argued for appellant. Brook A. Bennigson, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:59 a.m., the court recessed. At 10:07 a.m., the court reconvened with Davis, Associate Justice; Morrison, Associate Justice; and Cantil-Sakauye, Associate Justice.

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Court Minutes

July 22, 2008 continued

C054743 THE PEOPLE v. GONZALES

Cause called. Rex A. Williams, court appointed counsel, argued for appellant. Alice Su, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:44 a.m., the court recessed. At 10:50 a.m., the court reconvened with Raye, Associate Justice; Morrison, Associate Justice; and Cantil-Sakauye, Associate Justice.

C056072 WOODS et al. v. SHEWRY, as Director, etc., et al.

Cause called. Marc E. Angelucci argued for appellants. Roy S. Liebman, Deputy Attorney General, argued for respondents. Cause submitted.

At 11:58 a.m., the court recessed. At 12:02 p.m., the court reconvened with Raye, Associate Justice; Morrison, Associate Justice; and Robie, Associate Justice.

C055516 KIEVERNAGEL v. KIEVERNAGEL et al.

Cause called. Suzanne M. Alves argued for appellant. Jay-Allen Eisen argued for respondents. Cause submitted.

At 12:36 p.m., the court recessed. At 12:39 p.m., the court reconvened with Hull, Associate Justice; Robie, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C055219 CPE HR INC. et al. v. CALIFORNIA UNEMPLOYMENT INSURANCE
APPEALS BOARD; EMPLOYMENT DEVELOPMENT DEPARTMENT**

Cause called. John M. Polson argued for appellants CPE HR INC. Steven R. Mather argued for appellants CPE PEO INC. Steven J. Green, Deputy Attorney General, argued and Theodore S. Goodwin appeared only for respondent. Cause submitted.

At 1:08 p.m., the court recessed. At 2:02 p.m., the court reconvened with Morrison, Associate Justice; Hull, Associate Justice; and Butz Associate Justice.

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We Concur: Hull, J.
 Butz, J.

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Court Minutes

July 22, 2008 continued

C057468 THE PEOPLE v. BLEA (Not For Publication)

The judgment is modified to stay the eight-month prison term imposed for count III. Defendant's aggregate, unstayed prison term is modified to six years four months. The trial court is directed to prepare an amended abstract of judgment to reflect this modification and to forward a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.
 Hull, J.

C054914 THE PEOPLE v. ANDERSON (Not For Publication)

C054914 THE PEOPLE v. BUSTAMANTE

C054916 THE PEOPLE v. RANGEL

THE COURT:

It is ordered that the opinion filed herein on July 3, 2008, be modified ...

This modification does not effect a change in the judgment.

Bustamante's petition for rehearing is denied.

THE COURT:

SCOTLAND, P.J.

Davis, J.

Butz, J.

July 23, 2008

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Sims, Associate Justice; Morrison, Associate Justice; and Haskett, bailiff.

C052061 THE PEOPLE v. ALVAREZ

Cause called. Kenny N. Giffard argued for appellant. Alice Su, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:56 a.m., the court recessed. At 9:57 a.m., the court reconvened.

**C054097 THE SUPERIOR COURT OF SACRAMENTO COUNTY v. COUNTY OF
SACRAMENTO et al.**

Cause called. Michele Bach, Deputy County Counsel, argued for appellant. Beth S. Brinkmann argued for respondent. Cause submitted.

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July 23, 2008 continued

At 10:29 a.m., the court recessed. At 10:32 a.m., the court reconvened with Scotland, Presiding Justice; Raye, Associate Justice; and Morrison, Associate Justice.

**C054639 DEPARTMENT OF CORRECTIONS AND REHABILITATION v. STATE
PERSONNEL BOARD; BROWN et al.**

Cause called. Christine Albertine argued for appellant. Stephen A. Jennings argued for respondent. Cause submitted.

At 10:58 a.m., the court recessed. At 11:00 a.m., the court reconvened with Sims, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

C053428 BARBA v. PEREZ

Cause called. Hector A. Cavazos, Jr. argued for appellant. Aaron Ocon Anguiano argued for respondent. Cause submitted.

At 11:29 a.m., the court recessed until 9:30 a.m., Thursday, July 24, 2008.

July 24, 2008

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Blease, Associate Justice; Nicholson, Associate Justice; and Horner, bailiff.

C054349 THE PEOPLE v. MOSS

Cause called. John L. Staley, court appointed counsel, argued for appellant. Julie A. Hokans, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:41 a.m., the court recessed. At 9:41 a.m., the court reconvened.

C054406 THE PEOPLE v. MASE

Cause called. Susan K. Keiser, court appointed counsel, argued for appellant. Julie A. Hokans, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:08 a.m., the court recessed until 9:30 a.m., Friday, July 25, 2008.

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July 24, 2008 continued

- C053684 THE PEOPLE v. COLEMAN et al. (Not For Publication)**
The trial court is directed to prepare corrected abstracts of judgment for defendants Coleman and Allen striking the respective parole revocation restitution fines imposed under section 1202.45. The trial court shall forward a certified copy of the corrected abstract of judgment for each defendant to the Department of Corrections and Rehabilitation. In all other respects, each of the judgments is affirmed.
BUTZ, J.
We Concur: Nicholson, Acting P.J.
Robie, J.
- C055076 THE PEOPLE v. PLAYER (Not For Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
Hull, J.
- C057139 THE PEOPLE v. NUNEZ (Not For Publication)**
Defendant's assault conviction on count 2 is reversed, and the trial court is directed to dismiss that count. On remand, the trial court is directed to sentence defendant on count 3 and thereafter to stay execution of that sentence. In all other respects, the judgment is affirmed. The trial court shall amend the abstract to reflect defendant's conviction on count 3, together with the sentence imposed and stayed, and shall forward a certified copy of the amended abstract to the California Department of Corrections and Rehabilitation.
RAYE, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.
- C057774 THE PEOPLE v. WESTMORLAND (Not For Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Blease, Acting P.J.
Nicholson, J.
- C056840 HUGHES v. CALIFORNIA STATE EMPLOYEES ASSOCIATION et al. (Not For Publication)**
The judgment is affirmed. CSEA and Alexander shall recover their costs of this appeal. ...
BUTZ, J.
We Concur: Blease, Acting P.J.
Davis, J.

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July 24, 2008 continued

C057555 In re CARISSA D. et al.; SACRAMENTO (Not For Publication)
COUNTY DEPARTMENT OF HEALTH
& HUMAN SERVICES v. DEE ANN B.
et al.

The orders of the juvenile court are affirmed.

BLEASE, Acting P.J.

We Concur: Nicholson, J.

Butz, J.

July 25, 2008

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Davis, Associate Justice; Cantil-Sakauye, Associate Justice; and Harper, bailiff.

C054285 EARL'S MAIL SERVICE, INC. v. TOONE

Cause called. Charles M. Kagay argued for appellant. Carlos M. Ambriz argued for respondent. Cause submitted.

At 9:58 a.m., the court recessed. At 10:02 a.m., the court reconvened with Scotland, Presiding Justice; Nicholson, Associate Justice; and Cantil-Sakauye, Associate Justice.

C056047 THE PEOPLE v. COLLETTE

Cause called. Emily E. Doringier argued for appellant. Dawn Mortazavi, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:50 a.m., the court recessed until 9:30 a.m., Monday, July 28, 2008.

C055510 THE PEOPLE v. CLARK (Not For Publication)

The judgment is affirmed.

HULL, J.

We Concur: SIMS, Acting P.J.

Raye, J.

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Court Minutes

July 25, 2008 continued

C054514 LAIR et al. v. HENDRICKSON et al. (Not For Publication)

The cross-appeal regarding the lis pendens is dismissed. The judgment is affirmed. Plaintiffs' motion for sanctions for a frivolous appeal is denied. The parties shall bear their own costs on appeal. ...

SIMS, J.

We Concur: Scotland, P.J.

Hull, J.

C056090 PETROVICH et al. v. RALEY'S (Not For Publication)

The judgment is affirmed. Defendant is awarded its costs on appeal. ...

BLEASE, Acting P.J.

We Concur: Morrison, J.

Hull, J.

**C056772 In re MATTHEW D.; THE PEOPLE (Not For Publication)
v. MATTHEW D.**

The judgment (order of dismissal) is reversed and the juvenile court shall conduct a jurisdictional hearing consistent with the views stated in this opinion.

MORRISON, J.

We Concur: Blease, Acting P.J.

Hull, J.

C054315 THE PEOPLE v. HENG et al.

BY THE COURT:

Appellant Scott's petition for rehearing is denied.

BLEASE, Acting P.J.